

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND)
COMPOUNDING PHARMACY, INC.) 1:13-md-02419-FDS
PRODUCTS LIABILITY LITIGATION)
)
This Document Relates To:)
)
JOAN HULSEY AND GUY HULSEY)
)
Plaintiffs.)
)
v.) 1:13-cv-12961-FDS
)
MARION PAIN MANAGEMENT)
CENTER, INC., MANGALA J.)
SHETTY, MD,)
)
Defendants.)
)
)

**DEFENDANTS, MARION PAIN MANAGEMENT CENTER, INC. AND
MANGALA J. SHETTY, M.D.'S MOTION FOR EXTENSION
OF TIME TO FILE
AN ANSWER OR OTHER RESPONSIVE PLEADING TO PLAINTIFF'S
SHORT FORM COMPLAINT – WITH ASSENT**

The Defendants, Marion Pain Management Center, Inc. ("Marion") and Mangala J. Shetty, M.D., hereby move, pursuant to Fed. R. Civ. P. 6(b)(1)(A), for leave to extend the time within which it must file an answer or other responsive pleading to Plaintiff's Short Form Complaint Against Unaffiliated Defendants for thirty (30) days up to and including March 12, 2014.

As grounds therefore, the Defendants state that defense counsel requires additional time within which to investigate the allegations of the Plaintiff's Complaint and prepare an appropriate response to same on Defendants' behalf.

The Plaintiff's Short Form Complaint indicates that on September 4, 2012, Dr. Shetty administered a drug supplied by the New England Compounding Company, Inc. ("NECC") to Guy Hulsey, Jr. at Marion Pain Management Center, Inc. Dr. Shetty is currently out of the country in India and unavailable through the end of February.

Consequently, the Defendants are not presently in a position to evaluate the claims asserted by the Plaintiff in her Short Form Complaint.

Plaintiff's counsel, Joshua Gale, of the firm Wiggins, Childs, Quinn & Pantazis, LLC has assented to this Motion on behalf of the Plaintiff.

WHEREFORE, The Defendants, Marion Pain Management Center, Inc., and Mangala J. Shetty, M.D. respectfully request that this Court allow them to extend the time within which they must file an answer or other responsive pleading to Plaintiff's Short Form Complaint by thirty (30) days, up to and including **March 12, 2014**.

Respectfully Submitted,
The Defendants,
MARION PAIN MANAGEMENT
CENTER, INC. and
MANGALA J. SHETTY, M.D.
By their Attorneys

/s/ Robert L. Boston
James M. Campbell (BBO#)
David M. Rogers (BBO#)
Robert L. Boston (BBO# 665174)
Campbell Campbell Edwards & Conroy,
Professional Corporation
One Constitution Center
Boston, MA 02129
(617) 241-3000
jmcampbell@campbell-trial-lawyers.com
drogers@campbell-trial-lawyers.com
rboston@campbell-trial-lawyers.com

Assented to:
PLAINTIFF, JOAN HULSEY
By her attorneys,

/s/ Joshua Gale
Joshua R. Gale (FL Bar. No. 63282)
WIGGINS, CHILDS, QUINN & PANTAZIS, LLC
101 N. Woodland Blvd., Suite 600
DeLand, FL 32720
(386) 675-6946
jgale@wcqp.com

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that counsel for the Defendants has discussed this matter with Plaintiff's counsel by phone and email and that the Plaintiff has assented to this Motion.

/s/ Robert L. Boston
Robert L. Boston (BBO# 665174)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 12th day of February, 2014, a copy of the foregoing document was filed electronically with the United States District Court for the District of Massachusetts, which will send notification of such filing to all counsel of record:

Joshua R. Gale
Wiggins, Childs, Quinn & Pantazis, LLC
101 N. Woodland Blvd., Suite 600
Deland, FL 32720

/s/ Robert L. Boston
Robert L. Boston